

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

CONFEDERATE MOTORS, INC.,)	
A Delaware Corporation,)	
)	
PLAINTIFF,)	
)	
vs.)	Civil Action No.
)	
FRANCOIS-XAVIER TERNY, et al,)	10-CV-0919-S
)	
DEFENDANTS.)	

MOTION TO DISMISS DEFENDANTS OLDENWAY I AND

OLDENWAY II

COMES NOW the Plaintiff, Confederate Motors, Inc., and moves this Honorable Court to dismiss Defendants Oldenway I and Oldenway II. In support of this motion Plaintiff states as follows:

1. Defendants Oldenway I and Oldenway II are aware of the pending litigation. (See attached)
2. Furthermore, the above named defendants have stated that they have no objection to the declaratory relief sought by Plaintiff. (See attached)
3. For the foregoing reasons the above named defendants are due to be dismissed.

WHEREFORE PREMISES CONSIDERED, Plaintiff prays this Honorable Court to dismiss the above named Defendants without prejudice.

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing on counsel of record listed below by means of Notice of Electronic Filing (CM/ECF) on this the 28th day of July, 2010.

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/s/ G. Chance Turner
OF COUNSEL



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July 26, 2010

By Email

Mr. G. Chance Turner
2 North 20th Street, Suite 1150
Birmingham, AL 35203

Re: *Confederate Motors, Inc. v. Terny et al.*, No. 10-CV-0919-S (N.D. Ala.)

Dear Mr. Turner:

This law firm represents Oldenway I and Oldenway II (collectively, "Oldenway I & II"), in connection with above-captioned matter (the "Action").

I am writing to confirm that Oldenway I & II are aware that Confederate Motors Inc. ("CMI") commenced the Action earlier this year in the District Court for the Northern District of Alabama seeking resolution of certain corporate governance matters that have arisen at CMI. Oldenway I & II hereby acknowledge that, as CMI shareholders, they have no objection to the declaratory relief that CMI is currently seeking in the Action. I further confirm your assurances that CMI will file a notice dismissing the Action against Oldenway I & II.

This letter is without prejudice to Oldenway I & II's rights, remedies and defenses, including as to jurisdiction, all of which are expressly preserved.

Very truly yours,

A handwritten signature in black ink, appearing to be "D. Onorato", written over a horizontal line.

David J. Onorato

The Freshfields Bruckhaus Deringer US LLP partners include members of the Bars of the State of New York and the District of Columbia, Solicitors of the Supreme Court of England and Wales and Rechtsanwälte of Germany

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